

Jorgensen, Jay T.

From: Scott McDaniel
Sent: Friday, July 11, 2008 2:55 PM
To: 'Trevor.Hammons@oag.ok.gov'; Nicole Longwell
Cc: Jinger Waller; Bob Nance; sgentry@riggsabney.com; thammons@oag.state.ok.us
Subject: RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

Trevor:

August 14th does not work for two reasons. First, we need this information sooner, which is why we originally scheduled his deposition in May. Please provide a date so we can did this done quicker. Second, the proposed date conflicts with attorney assignments on this end for Dr. Welch's deposition that is scheduled for the same day.

A. Scott McDaniel
320 South Boston Avenue
Suite 700
Tulsa, Oklahoma 74103
918.382.9200 Office Phone
918.382.9282 Facsimile
smcdaniel@mhla-law.com

www.mhla-law.com



This message and the documents attached to it, if any, is intended only for the use of a client of McDaniel, Hixon, Longwell & Acord, PLLC and may contain information that is PRIVILEGED and CONFIDENTIAL, and may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and its attachments, destroy any hard copies you may have created and notify the sender immediately.

From: Trevor.Hammons@oag.ok.gov [mailto:Trevor.Hammons@oag.ok.gov]
Sent: Friday, July 11, 2008 1:00 PM
To: Nicole Longwell
Cc: Jinger Waller; Bob Nance; sgentry@riggsabney.com; Scott McDaniel; thammons@oag.state.ok.us
Subject: RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

Nicole,

In accordance with the email Mr. Garren sent Mr. Bond, Mr. Parrott is available on August 14th to continue his depo. Please let me know if that date works for you guys.

7/14/2008

Trevor

J. Trevor Hammons
Oklahoma Office of the Attorney General
Environmental Protection Unit
313 N.E. 21 St.
Office: (405) 522-2801
Fax: (405) 522-0608

CONFIDENTIALITY NOTE:

This e-mail message is intended for the personal use of the recipient(s) named above. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately and delete the original message.

"Nicole Longwell" <nlongwell@mhl-law.com>

07/10/2008 09:03 AM

To <Trevor.Hammons@oag.ok.gov>

cc "Jinger Waller" <jwaller@mhl-law.com>, "Bob Nance" <rnance@riggsabney.com>, <sgentry@riggsabney.com>, "Scott McDaniel" <smcdaniel@mhl-law.com>, <thammons@oag.state.ok.us>, "Scott McDaniel" <smcdaniel@mhl-law.com>, "Jinger Waller" <jwaller@mhl-law.com>

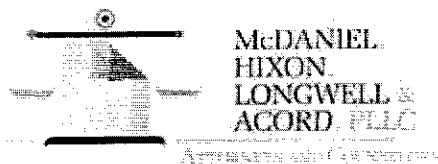
Subject RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

Trevor,

Please provide me dates that Mr. Parrott will be available for this deposition.

Thanks,

Nicole M. Longwell
McDaniel, Hixon, Longwell & Acord, PLLC
320 South Boston Ave., Suite 700
Tulsa, Oklahoma 74103
Telephone: 918.382.9200
Facsimile: 918.382.9282



This message and the documents attached to it, if any, is intended only for the use of a client of MHLA and may contain information that is PRIVILEGED and CONFIDENTIAL, and may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and its attachments, destroy any hard copies you may have created and notify the sender immediately.

7/14/2008

From: Trevor.Hammons@oag.ok.gov [mailto:Trevor.Hammons@oag.ok.gov]
Sent: Wednesday, July 09, 2008 1:20 PM
To: Nicole Longwell
Cc: Jinger Waller; Bob Nance; sgentry@riggsabney.com; Scott McDaniel; thammons@oag.state.ok.us
Subject: RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

Nicole,

Without receding from our view that Mr. Parrott was properly prepared, we will present Mr. Parrot for the topics listed below in your email without limitation as to time.

J. Trevor Hammons
Oklahoma Office of the Attorney General
Environmental Protection Unit
313 N.E. 21 St.
Office: (405) 522-2801
Fax: (405) 522-0608

CONFIDENTIALITY NOTE:

This e-mail message is intended for the personal use of the recipient(s) named above. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately and delete the original message.

"Nicole Longwell"
<nlongwell@mhl-law.com>

07/09/2008 01:01 PM

To <Trevor.Hammons@oag.ok.gov>
cc "Jinger Waller" <jwaller@mhl-law.com>, "Bob Nance" <rnance@riggsabney.com>, <sgentry@riggsabney.com>, "Scott McDaniel" <smcdaniel@mhl-law.com>, <thammons@oag.state.ok.us>
Subject RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

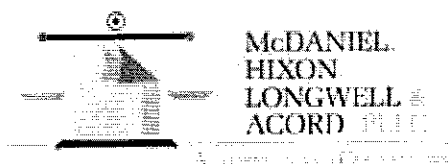
Trevor,

I understand, but disagree with the State's position, and I appreciate the State's willingness to put forth Mr. Parrott again in light of what we view as a lack of preparedness. However, I want to be clear here. Is the State committing to having Mr. Parrott come to the subsequent deposition prepared to give testimony on about pollutant loading, SSO's (which include both overflows and bypasses), and bio-solid application in the Illinois River Watershed for the full time period the state has records? This is the question we need answered in order to avoid the filing our Motion to Compel on this issue. Please provide me your response by 3:00 p.m. today.

7/14/2008

Thanks,

Nicole M. Longwell
McDaniel, Hixon, Longwell & Acord, PLLC
320 South Boston Ave., Suite 700
Tulsa, Oklahoma 74103
Telephone: 918.382.9200
Facsimile: 918.382.9282



This message and the documents attached to it, if any, is intended only for the use of a client of MHLA and may contain information that is PRIVILEGED and CONFIDENTIAL, and may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and its attachments, destroy any hard copies you may have created and notify the sender immediately.

From: Trevor.Hammons@oag.ok.gov [mailto:Trevor.Hammons@oag.ok.gov]
Sent: Wednesday, July 09, 2008 12:01 PM
To: Nicole Longwell
Cc: Jinger Waller; Bob Nance; sgentry@riggsabney.com; Scott McDaniel; thammons@oag.state.ok.us
Subject: RE: Oklahoma v. Tyson Foods, et al. - 30(b)(6) and document production

Ms. Longwell:

The State strongly disagrees with your assertion that Mr. Parrott was not prepared to testify during the 30(b)(6) deposition. As discussed previously, Mr. Parrott was prepared to respond to your questions if he would have been given the opportunity to review the files in the room with him. It is unrealistic and unduly burdensome to expect a deponent to have all information at his recall, especially when you have asked overly broad, highly technical and sweeping questions. Mr. Parrott was fully prepared to respond to all questions and in fact we gave you over an additional hour in which to examine Mr. Parrott.

However, in order to move this process forward and not conceding our strongly held position that Mr. Parrot was fully prepared, we are offering to put Mr. Parrot up to testify about pollutant loading, SSO's, and bio-solid application in the Illinois River Watershed. We do not anticipate that it will take more than four (4) hours to depose Mr. Parrot on these matters. We are open to reevaluating the amount of time after the 4 hours has been used, however a full day of depo testimony is not anticipated.

Sincerely,

7/14/2008

Trevor

J. Trevor Hammons
Oklahoma Office of the Attorney General
Environmental Protection Unit
313 N.E. 21 St.
Office: (405) 522-2801
Fax: (405) 522-0608

CONFIDENTIALITY NOTE:

This e-mail message is intended for the personal use of the recipient(s) named above. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately and delete the original message.

7/14/2008